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IN AND BEFORE THE  
FEDERAL ELECTION COMMISSION

2005 JAN 27 P 4: 35

2005 JAN 27 P 4: 38

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

IN RE MATTER OF: Alan L. Keyes  
Jack Roeser  
Empower Illinois  
Empower Illinois Media Fund  
Jeffrey D. Davis, President

MUR No. 5568

**RESPONSE TO THE COMPLAINT**

This is filed on behalf of Empower Illinois Media Fund, Empower Illinois and Jeffrey D. Davis<sup>1</sup>, (collectively hereinafter "Respondents") in response to a Complaint filed by Citizens for Responsibility and Ethics in Washington, D.C., a political advocacy group (the "Complaint").

The Complaint alleges that Respondents (and others) had violated or "were about to violate" the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431 *et seq.* ("FECA" or the "Act") by failing to register with the Federal Election Commission ("FEC" or the "Commission") as a political committee and by failing to comply with contribution limits, source prohibitions, and reporting requirements applicable to political committees registered with the FEC. 2 U.S.C. §§433, 434, 437g(a); 11 C.F.R. §111.4(a). The Complaint further alleges that Respondents coordinated their political activities and communications with Alan Keyes, Republican candidate for the United States Senate in Illinois in 2004, and Keyes 2004, Inc., the principal authorized committee of Alan Keyes (collectively hereafter "Keyes") in

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<sup>1</sup> Complainants inaccurately state that Mr Davis was the former treasurer for the Jack Ryan for Senate political committee (Complaint at ¶15). Mr Davis was the assistant treasurer for the Jack Ryan for Senate political committee, a fact which has absolutely *nothing* to do with the facts at issue in this MUR

violation of 11 CFR §109.21. Respondents deny that they violated the Act or Commission regulations in any manner whatsoever and move the Commission to dismiss the Complaint.

**COMPLAINT MUST BE DISMISSED AGAINST RESPONDENTS**

The Complaint against Respondents must be dismissed because there are no facts to support the Complaint and because Respondents have not violated any provision(s) of the Act.

***There are no Facts to Support the Complaint Against Respondents***

Empower Illinois Media Fund ("Media Fund") and Empower Illinois are affiliated political organizations that were established pursuant to §527 of the Internal Revenue Code ("IRC") on August 20, 2004. 26 U.S.C. §527. Jeffrey D. Davis is the president and person exercising control of both Media Fund and Empower Illinois. Empower Illinois was organized as an educational and political advocacy organization formed for the purpose of engaging Illinois citizens and empowering them to become involved in the political process, to mobilize voters in Illinois on the basis of issues and philosophy to support quality candidates in Illinois. Media Fund ("Media Fund") was established for the purpose of engaging in political advocacy and, in particular, to conduct advertising to educate the citizens of Illinois regarding Illinois candidates, political parties and issues.

During the 2004 election cycle, Media Fund, in keeping with its stated purpose, developed, produced and aired a television advertisement ("the Ad") to educate Illinois voters about certain issues. Media Fund made independent decisions as to how to use the organization's limited funds to educate Illinois voters about the policy positions and legislative voting record of the Democratic candidate for the U.S. Senate, Barack O'Bama ("O'Bama"). There is no evidence to support the allegation that Respondents at any time acted in concert with, at the behest, suggestion or request of Keyes or in concert with Keyes or agent thereof.

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The Ad developed, produced and aired by Media Fund educated Illinois voters about O'Bama's legislative record as an Illinois state senator, which reflected his positions and public record on the issues of crime, abortion and education. Respondent Davis, in consultation with Charlie Stone of Stone Road Productions, researched candidate O'Bama's voting record in the Illinois senate, targeting his record on issues, votes, and legislation that O'Bama had sponsored as a senator.

The Ad began running on October 12, 2004 and ran for three (3) consecutive days in the Springfield, Illinois area. Later in October, the Ad ran for an additional five (5) days in the Chicago area. The text of the Ad was not for the purpose of, and did not expressly advocate, the election of Keyes or the defeat of O'Bama. See Exhibit 2, Script of the Ad. Rather, the Ad was developed for the purpose of informing citizens and the media about O'Bama's legislative record. The content, timing and placement of the Ad and all matters related to the Ad or other activities engaged in by Respondents were wholly independent of Keyes, to-wit: there was no material involvement or substantial discussion with, no common vendors or former employees or contractors for, no agreement or collaboration in any manner with Keyes nor was the Ad based on any information regarding Keyes' needs, activities, plans or projects. 11 C.F.R. §109.21(d). See Exhibit 1, Affidavit of Jeffrey D. Davis.

*Factual Allegations Contained in the Complaint are Inaccurate and False*

The Complaint is not based on or supported by any verifiable facts. The Complaint relies on hearsay premised, in large part, on information reported by the media in various news stories. At least some, if not all, of the information in the Complaint is simply inaccurate. The Complainant's lack of concern with accuracy, the wholesale absence of verified

facts and the repetition of inaccuracies published elsewhere form the basis of the entire Complaint.

The Complaint inaccurately states that on “Wednesday, October 6, 2004, Mr. Roeser gave \$40,000 to Empower Illinois.” (Complaint at ¶9). However, Mr. Roeser contributed \$10,000 to Empower Illinois on August 23, 2004, and \$30,000 to Empower Illinois Media Fund on August 23, 2004, reflected in the Form 8872 filed by each organization with the IRS and the Form 9 filed with the Commission. See Exhibits 1-A, 1-B, and 1-C.

Further, the alleged discussions between Mr. Roeser and Mr. Keyes concerning “slave reparations” are completely irrelevant to Respondents and do not in any way bear on the allegations of the Complaint. The Ad did not communicate any message related to the subject of the purported conversation between Keyes and Roeser on the subject of ‘slave reparations’ and such conversations have nothing to do with the Ad or the activities involving Respondents in this MUR.

Mr. Roeser was not involved in the decision making process regarding the content of the Ad, its placement or timing, nor did the content of the Ad have any relationship to the subject matter that Complainants allege to have been discussed by Respondent Roeser and Keyes. Mr. Roeser did not exercise or attempt to exercise any control regarding the content of the Ad or any other activities or communications by Respondent committees. See Exhibit #1, Affidavit of Jeffrey D. Davis.

Respondent(s) are “not “Political Committees” as defined by 2 U S C §431(4) and the FEC regulations at 11 C.F R §100.5

Complainants allege violation of the Act because Respondents fall within the definition of “political committee” under the Act but failed to comply with the applicable provisions of the Act. 2 U.S.C. §§433, 434. Respondents are not political committees under the

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Act, but are political organizations as defined by the IRC. 26 U.S.C. §527. As the Commission is well aware from its rulemaking efforts in 2004, not all political committees registered with the IRS pursuant to §527 of the IRC fall within the Commission's regulatory rubric as political committees defined at 11 C.F.R. §100.5, so as to be subject to the contribution limits under the Act. Respondents fully complied with the provisions of the Act related to disclosure of its expenditures for electioneering communications. 2 U.S.C. §434(f) and 11 C.F.R. §104.20. See Exhibit 1-C and 1-D. Neither Respondent committee was required to register as a political committee with the FEC because neither engaged in activities which would trigger such registration under the Act. Respondents fulfilled all registration and disclosure requirements required by law. See Exhibits 1-A, 1-B, 1-C and 1-D.

A "political committee" under the Act is defined as any group or persons making expenditures or receiving contributions aggregating in excess of \$1,000 during a calendar year. 2 U.S.C. §431(4)(A). The Act defines the terms "contribution" and "expenditure" as acts taken "for the purpose of influencing any election for Federal office." 2 U.S.C. §431(8)(A); §431(9)(A). However, the courts have limited the Act's statutory provisions by holding that political committees are limited to these groups whose "major purpose" is campaign activity such as the nomination or election of a candidate. Buckley v. Valeo, 424 U.S. 1, 79 (1976); FEC v. Massachusetts Citizens for Life, Inc., 749 U.S. 238, 262 (1986). An organization's major purpose may be evidenced by its public statements of its purpose or in other ways such as an organization's expenditures for the benefit of a particular candidate. FEC v. GOPAC, 917 F. Supp. 851, 859 (D.D.1996). The Commission concluded in 2004 that entities such as Empower Illinois and Media Fund did not meet the definition of 'political committee' for purposes of the Act.

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Complainants allege, with no factual support, that Respondents' "major purpose" was or is to influence federal elections and therefore Respondents qualify as political committees under the Act. However, there are no facts posited or verified by Complainants to support such a contention. Respondents' activities did not constitute "contributions" or "expenditures" under the Act, Respondents' major purpose is not and was not the "nomination or election of a candidate" and Respondent committees are not 'political committees' under the Act. Respondent Committees fulfilled the stated purposes of their respective organizations by undertaking the task of educating Illinois voters about the public record and positions of a candidate for federal office who had served and was serving as a state elected official during 2004.

Complainants allege that the Ad was developed, and funds were expended, for the purpose of influencing a federal election, thereby converting the disbursement into an expenditure as defined under the Act. (Complaint at ¶16). However, the public communication was independent of any campaign for federal office and did not expressly advocate the election or defeat of a clearly identified federal candidate. See Exhibit #2, Script of the Ad. All funds used to pay for the Ad were from individuals only, in accordance with 2 U.S.C. §441b(c)(2). The Commission's regulations do not extend the definition of 'political committee' to §527 committees such as Respondents.

Funds spent for the Ad did not constitute 'expenditures' under the Act as alleged in the Complaint. Respondents made expenditures to educate voters, not for the benefit of a particular candidate or candidate, but to inform the public about Barack O'Bama's voting record. Respondent committees fail the Court's and the Commission's major purpose test and are not political committees as defined by the Act.

*Respondents did not coordinate their communications with any candidate or candidate's campaign*

Respondents, none of them, engaged in any activities which were coordinated with a federal candidate or party committee as defined by the Act and as alleged by the Complainants. 11 C.F.R. §109.21; 2 U.S.C. §441d. Respondent Media Fund, through its President, media vendor and consultant, produced the Ad, identified material and researched information for the Ad, and made all decisions regarding the Ad wholly separate and apart from Keyes. No person representing Keyes were involved in any way in any discussions, conversations or other sharing of information regarding the Ad, nor did Respondents act with or on behalf of Keyes or as agents for or at the behest, suggestion, request or under the control of any candidate or candidate's committee in developing or making the Ad. The Complainants have presented no facts to demonstrate otherwise and none exist. See Exhibit 1, Affidavit of Jeffrey D. Davis.

*Respondents did not Coordinate Activities or Communications with Keyes*

Respondents did not violate the Act by making coordinated public communications in cooperation with Keyes or any other federal candidate or party. Complainants must show by factual evidence that Respondents' expenditures met the three prong test established by the Commission defining 'coordinated public communications' in order to find that Respondents violated 11 C.F.R. §109.21. Complainants provided no such facts in their Complaint. (Complaint at ¶18).

Respondents did not communicate with Keyes or any agent thereof concerning their activities or communications, nor were the plans, projects, activities or needs of Keyes communicated to Respondents as a basis for the Ad or any other activities or communications.

See Exhibit 1, Affidavit of Jeffrey D. Davis. Complainants have provided no factual support for their bare allegations and legal conclusions.

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An expenditure is a “coordinated public communication” only if it meets a three part test including: 1) the communication is paid for by someone other than the candidate, the candidate’s committee, a political party or agent of any of the three; 2) the communication contains specific content identified in the regulations (in this case, the Ad *is* an electioneering communication); and 3) the communication resulted from specific conduct specified in the regulations. 11 C.F.R §109.21. (Complaint at ¶18). The regulations define a communication as “coordinated” if “made in cooperation, consultation, or concert with, or at the request or suggestion of a candidate, or candidate’s authorized committee, or their agents...” Respondents did not cooperate, consult, or in any other way seek input from Keyes or any Keyes agent or representative with regard to their educational campaign or the Ad. (Exhibit 1 at ¶¶5, 9, 11, 13, 17, 18). The choice of issues discussed in the Ad, the content, the intended audience, means and mode of communication, the media outlet, the timing and frequency of the Ad as well as the duration of the Ad and the means of communication were all decisions made by Respondents independently Keyes. See Exhibit 1, Affidavit of Jeffrey D. Davis

None of Respondents actions meet the test under the ‘conduct standard’ established by the Commission and the expenditures thus did not constitute ‘coordinated public communications’ under the Act and FEC regulations. 2 U.S.C. §441a(a)(7); 11 C.F.R. §109.20(a). (Complaint at ¶18). The Complainants fail to present any facts establishing coordination between Keyes and Respondents. (Complaint at ¶19-25).



## CONCLUSION

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Respondents are not political committees as defined by FECA and are not subject to the registration and filing requirements imposed on political committees defined by the Act. Respondents are political organizations registered with the Internal Revenue Service and have duly filed all disclosures as required by 26 U.S.C. §527. Further, Respondents have filed all disclosures with the FEC as required by 2 U.S.C. §434(f) and 11 C.F.R. § 104.20 governing electioneering communications. Respondents did not make any expenditures constituting 'coordinated public communications' and engaged in no activities at the request or suggestion of Keyes or any agent acting directly or indirectly on behalf of Keyes.

The Complainants allegations to the contrary are baseless with no grounding in fact and the Complaint should be dismissed.

WHEREFORE, Respondents respectfully move that the Federal Election Commission dismiss all allegations contained in the Complaint against Respondents.

Respectfully Submitted,



Cleta Mitchell, Esq.  
Foley & Lardner LLP  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007  
(202) 295-4081  
(202) 672-5399 (facsimile)

Attorney for Respondents  
Empower Illinois, Empower Illinois Media  
Fund and Jeffrey D. Davis

Hand-delivered this 27<sup>th</sup> day of January, 2005 to:

Office of General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, D.C. 20463

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**Exhibit 1**

**AFFIDAVIT OF JEFFREY D. DAVIS, PRESIDENT**

I, Jeffrey D. Davis, do hereby affirm and state under penalty of perjury as follows:

1. I am a named Respondent identified in the Complaint filed with the Federal Election Commission ("FEC") on October 14, 2004 by the Citizens for Responsibility and Ethics in Washington, (the "Complaint") and designated as Matter Under Review 5568 (the "MUR").

2. I am the President of Empower Illinois Media Fund and Empower Illinois, also both named Respondents in the Complaint. I have served in that capacity since August 20, 2004. I have specific knowledge of the actions undertaken by Empower Illinois Media Fund and Empower Illinois during 2004.

3. Previous to my positions with Empower Illinois Media Fund and Empower Illinois, I had held the position of Assistant Treasurer for the principal authorized campaign committee of Jack Ryan for U.S. Senate during 2004 and have many years of experience prior to 2004 in the area of political campaigns in Illinois.

4. I did not as an individual nor did Empower Illinois Media Fund or Empower Illinois engage in any violation of the Federal Election Campaign Act and the Complaint as alleged by the Citizens for Responsibility and Ethics in Washington is false and erroneous.

5. Neither Empower Illinois Media Fund, Empower Illinois nor I as an individual acting in any capacity whatsoever consulted at any time with Alan Keyes or any person acting directly or indirectly as an agent or representative of the campaign committee for Alan Keyes for U.S. Senate.

6. Empower Illinois and Empower Illinois Media Fund are both §527 political organizations registered pursuant to the Internal Revenue Code ("IRC") and are not political committees registered with the FEC. Both Empower Illinois and Empower Illinois Media Fund have fully complied with all of the requisite filings and disclosures required of each organization for purposes of filing disclosures of electioneering communications as applicable under the FEC regulations and separate filings and disclosures required by 26 U.S.C. §527.

7. Empower Illinois Media Fund was formed for the purpose of engaging in political advocacy and, in particular, to conduct advertising to educate the citizens of Illinois regarding Illinois candidates, political parties and issues as stated on the Form 8871 filed with the Internal Revenue Service ("IRS") on August 20, 2004.

8. Empower Illinois is a §527 political organization established pursuant to the provisions of §527 of the IRC, and formed for the purpose of engaging Illinois citizens and empowering them to become involved in the political process, to mobilize voters in Illinois on the basis of issues and philosophy to support quality candidates in Illinois as stated on the Form 8871 filed with the IRS on August 20, 2004.

9. The timing of the organization of Empower Illinois and Empower Illinois Media Fund was related to an effort to develop an educational campaign for the voters of Illinois before

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voters were distracted by the anticipated media focus on the National Republican Convention. The timing of this effort was not successful due to a lack of funding for the organizations. Additionally, the date of August 20 has sentimental significance for me as it is the date of both my parents' birthdays. I made the initial decisions regarding the timing of the formation of the organizations with no input, information, or at the behest or suggestion of Alan Keyes or any person acting on behalf of the Alan Keyes for U.S. Senate campaign.

10. After its formation, Empower Illinois received donations from a number of different contributors. One of the donors was John O. Roeser who contributed \$10,000 on August 23, 2004 as reflected on Form 8872 filed with the IRS. At no time did Mr. Roeser control or make any effort to exercise control over the subsequent use of the funds he contributed to Empower Illinois. Mr. Roeser and all donors to Empower Illinois and Empower Illinois Media Fund were aware that the purpose of both political committees was to engage in media communications and public advocacy regarding candidates for office in Illinois and, in particular, that the communications would involve discussions of the legislative voting record of Barack O'Bama. The decision to establish the committees and engage in such advocacy and education was not made at the suggestion, request, or at the behest of Alan Keyes or the Alan Keyes for U.S. Senate campaign or any person acting on behalf of either.

11. At no time did Mr. Roeser act as an agent or intermediary between Empower Illinois, Empower Illinois Media Fund and any candidate, campaign or political party, including but not limited to Alan Keyes or the Alan Keyes for U.S. Senate campaign.

12. During 2004 Empower Illinois Media Fund received contributions from six different donors during the period between August 20, 2004 and October 12, 2004 for total donations during this period of \$91,000.00. Included among these donations was a contribution from John O. Roeser for \$30,000 as stated on Form 8872 filed with the IRS. At no time did Mr. Roeser control or attempt to exercise control over the use of the funds he contributed to Empower Illinois Media Fund.

13. I made all decisions for Empower Illinois Media Fund, and Empower Illinois in consultation with one of the donors, Larry O'Neill. Mr. O'Neill donated \$25,000 to the Empower Illinois Media Fund as shown on Form 9 filed with the FEC. Mr. O'Neill at no time acted at the behest, suggestion or request of Alan Keyes or the Alan Keyes for Senate campaign. I was never asked or requested by Alan Keyes or Alan Keyes for U.S. Senate campaign or any person acting on their behalf to produce or deliver any communication regarding Barack O'Bama, Alan Keyes or any issue related to either of them. Mr. O'Neill and I together made the decisions about how to educate Illinois voters regarding candidates and issues – but we made such decisions independent of any campaign or candidate, and more particularly and specifically independent of the Alan Keyes for U.S. Senate campaign.

14. At times, we consulted with Charlie Stone, the producer of the educational television commercial sponsored by Empower Illinois Media Fund.

15. Empower Illinois Media Fund sponsored an educational television commercial designed to educate Illinois citizens about the state legislative voting record of Illinois State Senator, Barack O'Bama, a candidate for the U.S. Senate from Illinois. At no time did any of the

communications paid for by Empower Illinois or Empower Illinois Media Fund expressly advocate the election or defeat of any candidate for federal office.


16. Empower Illinois did not raise, spend or contribute funds for the television commercial educating Illinois voters about the legislative record of Barack O'Bama. All of the funding for the television commercials and other public communications were sponsored by Empower Illinois Media Fund and were paid from the contributions to Empower Illinois Media Fund as reflected on the Form 8872 filed with the IRS and the Form 9, filed with the FEC.

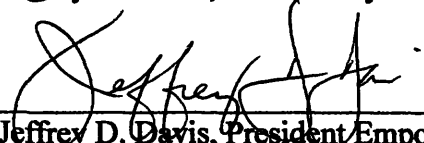
17. I developed the script for the television commercial in consultation with Charlie Stone of Stone Road Productions. Together we researched publicly available information about O'Bama's voting record as an Illinois State Senator. We focused on bills that O'Bama had sponsored as well as issues that we thought would be important to the citizens of the State of Illinois. At no time did we discuss the content of the communications with Alan Keyes, the Alan Keyes for U.S. Senate campaign or any person acting on behalf of the Keyes campaign.

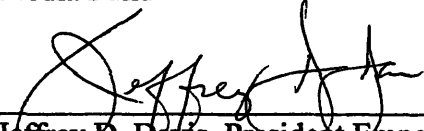
18. The television commercial began running on October 12, 2004, and ran for three days in the Springfield, Illinois television market. The timing of the communication coincided with the first debate between the Illinois candidates for the U.S. Senate. The television commercial ran later in the month of October for five days on cable television in the Chicagoland area. I made all decisions related to the placement, timing, and airing of the commercial based on demographics regarding the percentage of voters in the particular media market. I have personal experience in making decisions such as media placement based on years of campaigns in the State of Illinois. Neither Alan Keyes nor any person acting on his behalf or on behalf of the Alan Keyes for U.S. Senate campaign ever discussed with me at any time anything related to the content, timing, placement or other information related to the television commercials sponsored by Empower Illinois Media Fund.

19. There is no factual basis whatsoever for the allegations contained in the Complaint against Empower Illinois, Empower Illinois Media Fund, or myself and, accordingly, the Complaint should be dismissed.

Further Affiant Sayeth Not.

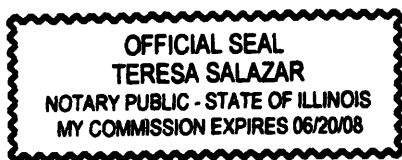
  
Jeffrey D. Davis, individually

  
Jeffrey D. Davis, President Empower Illinois  
Media Fund

  
Jeffrey D. Davis, President Empower Illinois

Before me appeared this 26 day of January, 2005, Jeffrey D. Davis, in his individual capacity and also as President of Empower Illinois and as President of Empower Illinois Media Fund and affirmed under penalty of perjury that the above and foregoing statements are true and correct.

SEAL



Teresa Salazar  
Notary Public

My Commission Expires:

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**Attachment A**



**Political Organization  
Report of Contributions and Expenditures**

OMB No 1545-1696

See Separate Instructions.

**A** For the period beginning 20 and ending Sept 30 20 04

**B** Check applicable boxes ☒ Initial report ☐ Change of address ☐ Amended report ☐ Final report

**1** Name of organization Empower Illinois **Employer identification number** 20-1516486

**2** Mailing address (P O Box or number, street, and room or suite number)

City or town state and ZIP code

Aurora, IL 60505

**3** E-mail address of organization

**4** Date organization was formed  
8/23/04

**5a** Name of custodian of records

Jeffrey D. Davis

**5b** Custodian's address

Aurora, IL 60506

**6a** Name of contact person

Jeffrey D. Davis

**6b** Contact person's address

8/23/04

**7** Business address of organization (if different from mailing address shown above) Number street and room or suite number

44 1/2 W. Downer

City or town state and ZIP code

Aurora, IL 60506

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**8** Type of report (check only one box)

- a** ☐ First quarterly report (due by April 15)  
**b** ☐ Second quarterly report (due by July 15)  
**c** ☒ Third quarterly report (due by October 15)  
**d** ☐ Year-end report (due by January 31)  
**e** ☐ Mid-year report (Non-election year only due by July 31)

- f** ☐ Monthly report for the month of OCT 17 2004  
(due by the 20th day following the month shown above except the December report which is due by January 31)  
**g** ☐ Pre-election report (due by the 12th or 15th day before the election)  
(1) Type of election \_\_\_\_\_  
(2) Date of election \_\_\_\_\_  
(3) For the state of OGDEN, UTAH  
**h** ☐ Post-general election report (due by the 30th day after general election)  
(1) Date of election \_\_\_\_\_  
(2) For the state of \_\_\_\_\_

**9** Total amount of reported contributions (total from all attached Schedules A)

**9** \$14,500.00

**10** Total amount of reported expenditures (total from all attached Schedules B)

**10** \$3,502.50

**Sign Here**

Under penalties of perjury, I declare that I have examined this report, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete

Signature of authorized official

Date

10-15-04

**Schedule A Itemized Contributions**

Schedule A page 1 of 1

Name of organization  
**Empower Illinois**Employer identification number  
**20 : 1516486**

Contributor's name mailing address and ZIP code <b>Richard Hawks</b>  <b>Aurora, IL 60506</b>	Name of contributor's employer <b>Oberweis Asset Management</b>	Amount of contribution
	Contributor's occupation <b>Director of Development</b>	\$ <b>4,500.00</b>
	Aggregate contributions year-to-date ▶ \$ <b>4,500.00</b>	Date of contribution <b>8/23/04</b>
Contributor's name mailing address and ZIP code <b>John O. Roeser</b>  <b>Carpentersville, IL 60110</b>	Name of contributor's employer <b>Retired</b>	Amount of contribution
	Contributor's occupation <b>Retired</b>	\$ <b>10,000.00</b>
	Aggregate contributions year-to-date ▶ \$ <b>10,000.00</b>	Date of contribution <b>8/23/04</b>
Contributor's name mailing address and ZIP code	Name of contributor's employer	Amount of contribution
	Contributor's occupation	\$
	Aggregate contributions year-to-date ▶ \$	Date of contribution
Contributor's name mailing address and ZIP code	Name of contributor's employer	Amount of contribution
	Contributor's occupation	\$
	Aggregate contributions year-to-date ▶ \$	Date of contribution
Contributor's name, mailing address and ZIP code	Name of contributor's employer	Amount of contribution
	Contributor's occupation	\$
	Aggregate contributions year to date ▶ \$	Date of contribution
Contributor's name mailing address and ZIP code	Name of contributor's employer	Amount of contribution
	Contributor's occupation	\$
	Aggregate contributions year-to-date . ● \$	Date of contribution
Contributor's name mailing address and ZIP code	Name of contributor's employer	Amount of contribution
	Contributor's occupation	\$
	Aggregate contributions year-to-date . ▶ \$	Date of contribution
Contributor's name mailing address and ZIP code	Name of contributor's employer	Amount of contribution
	Contributor's occupation	\$
	Aggregate contributions year-to-date . ● \$	Date of contribution
Contributor's name mailing address and ZIP code	Name of contributor's employer	Amount of contribution
	Contributor's occupation	\$
	Aggregate contributions year-to-date . ▶ \$	Date of contribution

**Subtotal** of contributions reported on this page only Enter here and also include this amount in the total on line 9 of Form 8872 ▶

\$ **14,500.00**

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<b>Schedule B</b> Itemized Expenditures		Schedule B page      of
Name of organization <i>Empower Illinois</i>		Employer identification number <i>20-1516486</i>
Recipient's name, mailing address and ZIP code <b>Right Internet, Inc. 201 E. Main Street, Suite F Charlottesville, VA 22901</b>	Name of recipient's employer	Amount of expenditure <b>\$ 3,000.00</b>
	Recipient's occupation	Date of expenditure <b>8/25/04</b>
Purpose of expenditure <b>Website Development and Maintenance</b>		
Recipient's name, mailing address and ZIP code <b>SBC Chicago, IL 60601</b>	Name of recipient's employer	Amount of expenditure <b>\$ 502.50</b>
	Recipient's occupation	Date of expenditure <b>9/20/04</b>
Purpose of expenditure <b>Phone Services</b>		
Recipient's name, mailing address and ZIP code	Name of recipient's employer	Amount of expenditure <b>\$</b>
	Recipient's occupation	Date of expenditure
Purpose of expenditure		
Recipient's name, mailing address and ZIP code	Name of recipient's employer	Amount of expenditure <b>\$</b>
	Recipient's occupation	Date of expenditure
Purpose of expenditure		
Recipient's name, mailing address and ZIP code	Name of recipient's employer	Amount of expenditure <b>\$</b>
	Recipient's occupation	Date of expenditure
Purpose of expenditure		
Recipient's name, mailing address and ZIP code	Name of recipient's employer	Amount of expenditure <b>\$</b>
	Recipient's occupation	Date of expenditure
Purpose of expenditure		
Subtotal of expenditures reported on this page only Enter here and also include this amount in the total on line 10 of Form 8872		<b>\$ 3,502.50</b>



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**Attachment B**

**Political Organization  
Report of Contributions and Expenditures**

OMB No 1545-1696

▶ See Separate instructions.

**A** For the period beginning July 1, 20 04 and ending Sept 30, 20 04

**B** Check applicable boxes ☒ Initial report ☐ Change of address ☐ Amended report ☐ Final report

**1** Name of organization Empower Illinois Media Fund **Employer identification number** 20-1516456

**2** Mailing address (P O Box or number, street and room or suite number)

City or town, state, and ZIP code  
Aurora, IL 60505

**3** E-mail address of organization **4** Date organization was formed  
8/20/04

**5a** Name of custodian of records Jeffrey D. Davis **5b** Custodian's address  
Aurora, IL 60506

**6a** Name of contact person Jeffrey D. Davis **6b** Contact person's address  
8/23/04

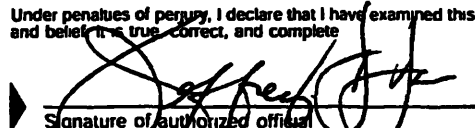
**7** Business address of organization (if different from mailing address shown above) Number, street, and room or suite number  
44 1/2 W. Downer

City or town, state, and ZIP code  
Aurora, IL 60506

- 8** Type of report (check only one box)
- a** ☐ First quarterly report (due by April 15)
  - b** ☐ Second quarterly report (due by July 15)
  - c** ☒ Third quarterly report (due by October 15)
  - d** ☐ Year-end report (due by January 31)
  - e** ☐ Mid-year report (Non-election year only-due by July 31)
  - f** ☐ Monthly report for the month of \_\_\_\_\_  
(due by the 20th day following the month shown above, except the December report, which is due by January 31)
  - g** ☐ Pre-election report (due by the 12th or 15th day before the election)  
(1) Type of election \_\_\_\_\_  
(2) Date of election \_\_\_\_\_  
(3) For the state of \_\_\_\_\_
  - h** ☐ Post-general election report (due by the 30th day after general election)  
(1) Date of election \_\_\_\_\_  
(2) For the state of \_\_\_\_\_

**9** Total amount of reported contributions (total from all attached Schedules A). . . . . **9** 30,500.00

**10** Total amount of reported expenditures (total from all attached Schedules B). . . . . **10** 2,500.00

**Sign Here** Under penalties of perjury, I declare that I have examined this report, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.  
 **Signature of authorized official** 10-15-04 **Date**

27044171254  
SCANNED OCT 26 2004

OCT 17 2004

Schedule A Itemized Contributions		Schedule A page 1 of 1
Name of organization Empower Illinois <i>Media Fund</i>		Employer identification number 20 : 1516456
Contributor's name, mailing address and ZIP code <b>Richard Hawks</b>  <b>Aurora, IL 60506</b>	Name of contributor's employer <b>Oberweis Asset Management</b> Contributor's occupation <b>Director of Development</b> Aggregate contributions year-to-date . . . ▶ \$ <b>500.00</b>	Amount of contribution  \$ <b>500.00</b> Date of contribution <b>8/20/04</b>
Contributor's name, mailing address and ZIP code <b>John O. Roeser</b>  <b>Carpentersville, IL 60110</b>	Name of contributor's employer <b>Retired</b> Contributor's occupation <b>Retired</b> Aggregate contributions year-to-date . . . ▶ \$ <b>30,000.00</b>	Amount of contribution  \$ <b>30,000.00</b> Date of contribution <b>8/23/04</b>
Contributor's name, mailing address and ZIP code	Name of contributor's employer  Contributor's occupation  Aggregate contributions year-to-date . . . ▶ \$	Amount of contribution  \$ Date of contribution
Contributor's name, mailing address and ZIP code	Name of contributor's employer  Contributor's occupation  Aggregate contributions year-to-date . . . ▶ \$	Amount of contribution  \$ Date of contribution
Contributor's name, mailing address and ZIP code	Name of contributor's employer  Contributor's occupation  Aggregate contributions year-to-date . . . ▶ \$	Amount of contribution  \$ Date of contribution
Contributor's name, mailing address and ZIP code	Name of contributor's employer  Contributor's occupation  Aggregate contributions year-to-date . . . ▶ \$	Amount of contribution  \$ Date of contribution
Contributor's name, mailing address and ZIP code	Name of contributor's employer  Contributor's occupation  Aggregate contributions year-to-date . . . ▶ \$	Amount of contribution  \$ Date of contribution
Contributor's name, mailing address and ZIP code	Name of contributor's employer  Contributor's occupation  Aggregate contributions year-to-date . . . ▶ \$	Amount of contribution  \$ Date of contribution
Contributor's name, mailing address and ZIP code	Name of contributor's employer  Contributor's occupation  Aggregate contributions year-to-date . . . ▶ \$	Amount of contribution  \$ Date of contribution
Contributor's name, mailing address and ZIP code	Name of contributor's employer  Contributor's occupation  Aggregate contributions year-to-date . . . ▶ \$	Amount of contribution  \$ Date of contribution
Contributor's name, mailing address and ZIP code	Name of contributor's employer  Contributor's occupation  Aggregate contributions year-to-date . . . ▶ \$	Amount of contribution  \$ Date of contribution
Subtotal of contributions reported on this page only Enter here and also include this amount in the total on line 9 of Form 8872 . . . . . ▶		\$ <b>30,500.00</b>

<b>Schedule B Itemized Expenditures</b>		Schedule B page 1 of 1
Name of organization <i>Empower Illinois Media Fund</i>		Employer identification number <i>20:1516456</i>
Recipient's name, mailing address and ZIP code <b>Right Internet, Inc. 201 E. Main Street, Suite F Charlottesville, VA 22901</b>	Name of recipient's employer	Amount of expenditure \$ <b>2,500.00</b>
	Recipient's occupation	Date of expenditure <b>9/20/04</b>
Purpose of expenditure <b>Website Development and Maintenance</b>		
	Name of recipient's employer	Amount of expenditure \$
	Recipient's occupation	Date of expenditure
Purpose of expenditure		
	Name of recipient's employer	Amount of expenditure \$
	Recipient's occupation	Date of expenditure
Purpose of expenditure		
	Name of recipient's employer	Amount of expenditure \$
	Recipient's occupation	Date of expenditure
Purpose of expenditure		
	Name of recipient's employer	Amount of expenditure \$
	Recipient's occupation	Date of expenditure
Purpose of expenditure		
	Name of recipient's employer	Amount of expenditure \$
	Recipient's occupation	Date of expenditure
Purpose of expenditure		
	Name of recipient's employer	Amount of expenditure \$
	Recipient's occupation	Date of expenditure
Purpose of expenditure		
Subtotal of expenditures reported on this page only Enter here and also include this amount in the total on line 10 of Form 8872 . . . . .		\$ <b>2,500.00</b>



27044171256

**Attachment C**

27044171257



## FEC FORM 9

24 HOUR NOTICE OF DISBURSEMENTS/OBLIGATIONS FOR  
ELECTIONEERING COMMUNICATIONS

## 1. Individual, Organization or Qualified Nonprofit Corporation Making the Disbursement/Obligations

(a) Name **EMPOWER ILLINOIS MEDIA FUND**(b) Address (number and street) ☐ check if different than previously reported  
**44 1/2 W. Downer**

2. FEC Identification Number

(c) City, State and ZIP Code

**Aurora, IL 60506****C**

(d) Name of Employer or Principal Place of Business

(e) Occupation

3. Is This Statement ☒ New  
or  
Amended

4. Covering Period

**08 20 2004**  
through**10 12 2004**5. (a) Date of Public Distribution(s) **10 12 2004** (b) Communication Title **The O'Truth**

6. Is the Filer a Qualified Nonprofit Corporation under 11 CFR 114.107

Yes

☒ No

7. Were the disbursements for the electioneering communication made exclusively from donations to a segregated bank account?

☒ Yes

No

## 8. Custodian of Records

(a) Name

**Jeff Davis**

(b) Address (number and street)

(c) City, State and ZIP Code

**Aurora, IL 60506**

(d) Name of Employer or Principal Place of Business

(e) Occupation

**Self Employed**

9. Total Donations This Statement

**91,000.00**

10. Total Disbursements/Obligations This Statement

**32,226.00**

Under penalty of perjury, I certify that this statement is true, correct and complete. In addition, if the electioneering communication reported herein was made by a corporation, I certify that the corporation is a qualified nonprofit corporation under the Commission's regulations.

TYPE OR PRINT NAME OF PERSON COMPLETING FORM

**JEFFREY D. DAVIS**

SIGNATURE

DATE **10-13-04**

NOTE: Submission of false, inaccurate or incomplete information may subject the person signing this statement to the penalties of 2 U.S.C. 552e.

List of Person(s) Sharing/Exercising Control  
(use additional pages as necessary)

PAGE 2 of 6

## 11. Person(s) Sharing/Exercising Control

A. (a) Name JEFF DAVIS	
(b) Address (number and street)	
(c) City, State and ZIP Code Aurora, IL 60506	
(d) Name of Employer or Principal Place of Business Self Employed.	(e) Occupation
B. (a) Name	
(b) Address (number and street)	
(c) City, State and ZIP Code	
(d) Name of Employer or Principal Place of Business	(e) Occupation
C. (a) Name	
(b) Address (number and street)	
(c) City, State and ZIP Code	
(d) Name of Employer or Principal Place of Business	(e) Occupation
D. (a) Name	
(b) Address (number and street)	
(c) City, State and ZIP Code	
(d) Name of Employer or Principal Place of Business	(e) Occupation
E. (a) Name	
(b) Address (number and street)	
(c) City, State and ZIP Code	
(d) Name of Employer or Principal Place of Business	(e) Occupation

27044171259

## SCHEDULE 9-A

PAGE 3 of 6

## Donation(s) Received

<p>A. Full Name of Donor <b>John D. Roeser</b></p> <p>Mailing Address of Donor</p> <p>City <b>Carpentersville</b> State <b>IL</b> Zip <b>60110</b></p>	<p>Date of Receipt <b>8/23/04</b></p> <p>Amount <b>\$ 30,000.00</b></p>
<p>B. Full Name of Donor <b>Richard Hawks</b></p> <p>Mailing Address of Donor</p> <p>City <b>Aurora</b> State <b>IL</b> Zip <b>60506</b></p>	<p>Date of Receipt <b>8/23/04</b></p> <p>Amount <b>\$ 500.00</b></p>
<p>C. Full Name of Donor <b>Richard Hawks</b></p> <p>Mailing Address of Donor</p> <p>City <b>Aurora</b> State <b>IL</b> Zip <b>60506</b></p>	<p>Date of Receipt <b>10/11/04</b></p> <p>Amount <b>\$ 500.00</b></p>
<p>D. Full Name of Donor <b>Larry O'Neill</b></p> <p>Mailing Address of Donor</p> <p>City <b>Palatine</b> State <b>IL</b> Zip <b>60074</b></p>	<p>Date of Receipt <b>10/12/04</b></p> <p>Amount <b>\$ 25,000.00</b></p>
<p>E. Full Name of Donor <b>Judy Carter</b></p> <p>Mailing Address of Donor</p> <p>City <b>Park Ridge</b> State <b>IL</b> Zip <b>60068</b></p>	<p>Date of Receipt <b>10/7/04</b></p> <p>Amount <b>30,000.00</b></p>
<p>SUBTOTAL of Donations This Page (optional) ..... <b>86,000.00</b></p>	
<p>TOTAL This Form (put page this line number only) ..... (carry total from last page to Line 9)</p>	

## SCHEDULE 9-A

PAGE 4 of 6

## Donation(s) Received

<b>A. Full Name of Donor</b> Mike Winn <hr/> <b>City</b> Lake Bluff, <b>State</b> IL <b>Zip</b> 60044	<b>Date of Receipt</b> 10/8/04 <hr/> <b>Amount</b> \$ 5,000.00
<b>B. Full Name of Donor</b> N/A <hr/> <b>City</b> <b>State</b> <b>Zip</b>	<b>Date of Receipt</b> <hr/> <b>Amount</b>
<b>C. Full Name of Donor</b> N/A <hr/> <b>City</b> <b>State</b> <b>Zip</b>	<b>Date of Receipt</b> <hr/> <b>Amount</b>
<b>D. Full Name of Donor</b> N/A <hr/> <b>City</b> <b>State</b> <b>Zip</b>	<b>Date of Receipt</b> <hr/> <b>Amount</b>
<b>E. Full Name of Donor</b> N/A <hr/> <b>City</b> <b>State</b> <b>Zip</b>	<b>Date of Receipt</b> <hr/> <b>Amount</b>
<b>SUBTOTAL of Donations This Page (optional)</b>	
<b>TOTAL This Period (add page this line number only)</b> <small>(carry total from first page to Line 9)</small>	

\$5,000.00

\$91,000.00

27044171261

## SCHEDULE 3-B

PAGE 5 of 6

## Disbursement(s) Made or Obligation(s)

A. Full Name (Last, First, Middle Initial) of Payer <b>The Stone Road Productions</b>				Date of Disbursement or Obligation <b>10 11 2004</b>	
Mailing Address of Payer <b>906 University Place</b>				Amount <b>5,000.00</b>	
City <b>Evansston</b>	State <b>IL</b>	Zip Code <b>60201</b>	Communication Date <b>10 12 2004</b>		
Name of Employer Occupation					
Purpose of Disbursement (including title(s) of communication(s)) <b>Production</b>					
Name of Federal Candidate <b>Barack Obama</b>	Office Sought <b>Senate</b>	House <b>Senate</b>	State <b>IL</b>	Disbursement/Obligation For Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) _____	
Name of Federal Candidate	Office Sought	House Senate President	State District	Disbursement/Obligation For Primary General Other (specify) _____	
Name of Federal Candidate	Office Sought	House Senate President	State District	Disbursement/Obligation For Primary General Other (specify) _____	
B. Full Name (Last, First, Middle Initial) of Payer <b>Gellagher Media, Inc</b>				Date of Disbursement or Obligation <b>10 12 2004</b>	
Mailing Address of Payer <b>627 Snelling Ave South, Ste 210</b>				Amount <b>24,780.00</b>	
City <b>St. Paul</b>	State <b>MN</b>	Zip Code <b>55116</b>	Communication Date <b>10 12 2004</b>		
Name of Employer Occupation					
Purpose of Disbursement (including title(s) of communication(s))					
Name of Federal Candidate <b>Barack Obama</b>	Office Sought <b>Senate</b>	House <b>Senate</b>	State <b>IL</b>	Disbursement/Obligation For Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) _____	
Name of Federal Candidate	Office Sought	House Senate President	State District	Disbursement/Obligation For Primary General Other (specify) _____	
Name of Federal Candidate	Office Sought	House Senate President	State District	Disbursement/Obligation For Primary General Other (specify) _____	
SUBTOTAL of Disbursements/Obligations This Page (national)				<b>29 780.00</b>	
TOTAL This Page (not page this side TOTAL only) (carry over from last page to Line 10)					

## SCHEDULE B-B

PAGE 6 of 6

## Disbursement(s) Made or Obligation(s)

A. Full Name (Last, First, Middle Initial) of Payer <b>WZFS-WYLL</b>				Date of Disbursement or Obligation <b>10 11 2004</b>	
Mailing Address of Payer <b>25 Northwest Point, Ste 400</b>				Amount <b>2446.00</b>	
City <b>Elk Grove Village</b>	State <b>IL</b>	Zip Code <b>60007</b>	Contribution Date <b>10 12 2004</b>		
Name of Employer _____ Occupation _____					
Purpose of Disbursement (including title(s) of communication(s))					
Name of Federal Candidate <b>Barack Obama</b>	Office Sought <b>X</b>	House <b>Senate</b>	State <b>IL</b>	Disbursement/Obligation For Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) _____	
Name of Federal Candidate	Office Sought	House Senate President	State District	Disbursement/Obligation For Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) _____	
Name of Federal Candidate	Office Sought	House Senate President	State District	Disbursement/Obligation For Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) _____	
B. Full Name (Last, First, Middle Initial) of Payer				Date of Disbursement or Obligation	
Mailing Address of Payer				Amount	
City _____ State _____ Zip Code _____				Contribution Date	
Name of Employer _____ Occupation _____					
Purpose of Disbursement (including title(s) of communication(s))					
Name of Federal Candidate	Office Sought	House Senate President	State District	Disbursement/Obligation For Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) _____	
Name of Federal Candidate	Office Sought	House Senate President	State District	Disbursement/Obligation For Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) _____	
Name of Federal Candidate	Office Sought	House Senate President	State District	Disbursement/Obligation For Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) _____	
SUBTOTAL of Disbursement(s)/Obligation(s) This Page (addition).....				<b>2446.00</b>	
TOTAL This Period (add page this line number only)..... (carry total from last page to Line 10)				<b>32,226.00</b>	

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27044171264

**Attachment D**

**FEC FORM 9****24 HOUR NOTICE OF DISBURSEMENTS/OBLIGATIONS FOR  
ELECTIONEERING COMMUNICATIONS****1. Individual, Organization or Qualified Nonprofit Corporation Making the Disbursement/Obligations**(a) Name **Empower Illinois Media Fund**(b) Address (number and street) ☐ Check if different than previously reported  
**44 W. W. Dowd**

2. FEC Identification Number

(c) City, State and ZIP Code  
**Aurora, IL 60506****C30000301**

(d) Name of Employer or Principal Place of Business

(e) Occupation

3. Is This Statement ☒ **Now**  
or  
☐ **Amended**

4. Covering Period

**10 13 2004**  
through**10 25 2004**5. (a) Date of Public Distribution(s) **10 24 2004** (b) Communication Title **The O' truth**

6. Is the Filer a Qualified Nonprofit Corporation under 11 CFR 114.10?

Yes

No ☒7. Were the disbursements for the electioneering communication made exclusively  
from donations to a segregated bank account?Yes ☒

No

**8. Custodian of Records**(a) Name **Jeff Davis**

(b) Address (number and street)

(c) City, State and ZIP Code  
**Aurora, IL 60506**

(d) Name of Employer or Principal Place of Business

(e) Occupation

**Self - Employer**

9. Total Donations This Statement

**\$1,000.00**

10. Total Disbursements/Obligations This Statement

**\$23,316.00**Under penalty of perjury, I certify that this statement is true, correct and complete. In addition, if this electioneering  
communication reported herein were made by a corporation, I certify that the corporation is a qualified nonprofit corporation  
under the Corporation's regulations.

TYPE OR PRINT NAME OF PERSON COMPLETING FORM

**JEFFREY D. DAVIS**

SIGNATURE

DATE

**10.25.04**

NOTE: Submission of false, inaccurate or incomplete information may subject the person signing this statement to the penalties of 18 U.S.C. § 1017.

FEBRUARY 2004

FEC FORM 9 (REV. 03/03)

27044171265



List of Person(s) Sharing/Exercising Control  
(use additional pages as necessary)

PAGE 2 OF 4

## 11 Person(s) Sharing/Exercising Control

A.	(a) Name	JEFF DAVIS	
	(b) Address (num.)		
	(c) City, State and ZIP Code	Aurora, IL 60506	
	(d) Name of Employer or Principal Place of Business	(e) Occupation	
	Self-Employed.		
B.	(a) Name	N/A	
	(b) Address (number and street)		
	(c) City, State and ZIP Code		
	(d) Name of Employer or Principal Place of Business	(e) Occupation	
C.	(a) Name	N/A	
	(b) Address (number and street)		
	(c) City, State and ZIP Code		
	(d) Name of Employer or Principal Place of Business	(e) Occupation	
D.	(a) Name	N/A	
	(b) Address (number and street)		
	(c) City, State and ZIP Code		
	(d) Name of Employer or Principal Place of Business	(e) Occupation	
E.	(a) Name	N/A	
	(b) Address (number and street)		
	(c) City, State and ZIP Code		
	(d) Name of Employer or Principal Place of Business	(e) Occupation	

27044171268

**SCHEDULE 9-A**  
**Donation(s) Received**

PAGE 3 OF 4

<b>A. Full Name of Donor</b> <u>Richard J. Walter</u> <b>Mailing Address of Donor</b>  <b>City</b> <u>Darien</u> <b>State</b> <u>IL</u> <b>Zip</b> <u>60561</u>	<b>Date of Receipt</b> <u>10/19/04</u> <b>Amount</b> <u>\$ 1,000.00</u>
<b>B. Full Name of Donor</b> <u>N/A</u> <b>Mailing Address of Donor</b>  <b>City</b> <u></u> <b>State</b> <u></u> <b>Zip</b> <u></u>	<b>Date of Receipt</b>  <b>Amount</b> 
<b>C. Full Name of Donor</b> <u>N/A</u> <b>Mailing Address of Donor</b>  <b>City</b> <u></u> <b>State</b> <u></u> <b>Zip</b> <u></u>	<b>Date of Receipt</b>  <b>Amount</b> 
<b>D. Full Name of Donor</b> <u>N/A</u> <b>Mailing Address of Donor</b>  <b>City</b> <u></u> <b>State</b> <u></u> <b>Zip</b> <u></u>	<b>Date of Receipt</b>  <b>Amount</b> 
<b>E. Full Name of Donor</b> <u>N/A</u> <b>Mailing Address of Donor</b>  <b>City</b> <u></u> <b>State</b> <u></u> <b>Zip</b> <u></u>	<b>Date of Receipt</b>  <b>Amount</b> 
<b>SUBTOTAL of Donations This Page (optional)</b>	<u>\$ 1,000.00</u>
<b>TOTAL This Period (add page into this number only)</b> (carry total from last page to Line B)	<u>\$ 1,000.00</u>

27044171267

## SCHEDULE 5-B

Disbursement(s) Made or Obligation(s)

PAGE 4 of 4

A. Full Name (Last, First, Middle Initial) of Payee <b>Gallagher Media, Inc.</b>				Date of Disbursement or Obligation <b>10-24-04</b>	
Mailing Address of Payee <b>627 Snelling Ave South, Ste 210</b>				Amount <b>\$ 20,000.00</b>	
City <b>St. Paul</b>		State <b>MN</b>	Zip Code <b>55116</b>	Communication Date	
Name of Employer <b></b>				Occupation <b></b>	
Purpose of Disbursement (including date(s) of communication(s)) <b>Advertising Placement - The O'Truck (10/25-10/29)</b>					
Name of Federal Candidate <b>Barack O'Bama</b>		Office Sought <b></b>	House <input checked="" type="checkbox"/> Senate <input type="checkbox"/> President	State <b>IL</b>	Disbursement/Obligation For Primary <input checked="" type="checkbox"/> General Other (specify) <b></b>
Name of Federal Candidate <b></b>		Office Sought <b></b>	House <input type="checkbox"/> Senate <input type="checkbox"/> President	State <b></b>	Disbursement/Obligation For Primary <input type="checkbox"/> General Other (specify) <b></b>
Name of Federal Candidate <b></b>		Office Sought <b></b>	House <input type="checkbox"/> Senate <input type="checkbox"/> President	State <b></b>	Disbursement/Obligation For Primary <input type="checkbox"/> General Other (specify) <b></b>
B. Full Name (Last, First, Middle Initial) of Payee <b>WZPS-WYLL</b>				Date of Disbursement or Obligation <b>10-24-04</b>	
Mailing Address of Payee <b>25 Northwest Point, Ste 400</b>				Amount <b>\$ 3,316.00</b>	
City <b>Elk Grove Village</b>		State <b></b>	Zip Code <b></b>	Communication Date <b>10-24-04</b>	
Name of Employer <b></b>				Occupation <b></b>	
Purpose of Disbursement (including date(s) of communication(s)) <b>Advertising - The O'Truck (10/24-10/29)</b>					
Name of Federal Candidate <b>Barack Obama</b>		Office Sought <b></b>	House <input checked="" type="checkbox"/> Senate <input type="checkbox"/> President	State <b>IL</b>	Disbursement/Obligation For Primary <input checked="" type="checkbox"/> General Other (specify) <b></b>
Name of Federal Candidate <b></b>		Office Sought <b></b>	House <input type="checkbox"/> Senate <input type="checkbox"/> President	State <b></b>	Disbursement/Obligation For Primary <input type="checkbox"/> General Other (specify) <b></b>
Name of Federal Candidate <b></b>		Office Sought <b></b>	House <input type="checkbox"/> Senate <input type="checkbox"/> President	State <b></b>	Disbursement/Obligation For Primary <input type="checkbox"/> General Other (specify) <b></b>
SUBTOTAL of Disbursements/Obligations This Page (addition) .....				<b>\$ 23,316.00</b>	
TOTAL This Period (add page 010 line number only) .....				<b>\$ 23,316.00</b>	
(carry total down last page to Line 10)					

27044171268

27044171289

**Exhibit 2**

OBAMA TV AD (these words are not spoken...just on the screen with music in the background)

What do we really know about Barack Obama?

Did you know...

Obama opposes tougher sentences for gangs who kill...innocent children.  
--HB 1812, 2001

Obama wants schools to teach sex...to kindergarteners.  
--SB99, 2003

Obama supports aborting children even when they are...born alive.  
--SB 230, 1997

STOP  
LOOK  
LISTEN

LEARN THE TRUTH ABOUT OBAMA

27044171270